IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9221 of 2005

Between:

Nelluri Bhadraiah, S/o.Veeraiah,
R/o.Gondriyala Village, Kodad Mandal, Nalgonda District.

..... PETITIONER

AND

1 The District Collector-cum-District, Election Authority Nalgonda District, Nalgonda.
2 The Revenue Divisional officer-Cum-Deputy District Election Authority, Suryapet, Nalgonda Dist.
3 The Mandal Revenue officer-cum-Election officer, Kodad Mandal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in not showing/entering the name of the petition in the Voter List of Water users Association of Gondriyala Village vide society No.110 in T.C.No.4 as arbitrary, illegal, and against to the principles of natural justice, and violative of Article 14 of the constitution of India and consequently direct the respondents to forthwith enter the name of the petitioner in the voter list of Water users Association of Gondriyala village vide society No.110 in T.C.No.4 and to pass such other order or orders in the circumstances of the case and interests of the justice.

Counsel for the Petitioner: MR.PALLENAGESWAR RAO

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court at the stage of admission made the following :

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO. 9221 OF 2005.

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ORAL ORDER:

Petitioner seeks declaration that the action of the respondents in holding elections for the Gondriyala village Water Users Association on 25.4.2005 pending his appeal as illegal and arbitrary and contrary to the A.P. Farmers' Management of Irrigation Systems (Delineation and formation of Water Users Associations) Rules, 2003.

As seen from the record, the voters' list was published on
17-4-2005 and that the petitioners filed their objections before the District Collector on the same day i.e. on 17.4.2005 i.e. within seven days as prescribed under the amended Rule 10 of the Rules, for correction of the voters' list, but the same was not considered.

Having regard to the said facts and circumstances, since the petitioner filed his objections within the time limit, the District Collector is hereby directed to dispose of the objections/appeals preferred by the petitioner before 25.4.2005, in accordance with law.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

21-04-2005

Note:

Issue operative portion of the

Order on wire at party's cost.

B/0 kvsn.

To

1 The District Collector-cum-District, Election Authority Nalgonda District, Nalgonda.
2 The Revenue Divisional officer-Cum-Deputy District Election Authority, Suryapet, Nalgonda Dist.
3 The Mandal Revenue officer-cum-Election officer, Kodad Mandal, Nalgonda District.

4 Two CCs to GP for GP FOR IRRIGATION & COMM AREA DEV. High Court buildings, Hyderabad.

5 Two CD copies.